

REMARKS

Claims 1-15 are pending. No new matter has been added by way of the present submission. For instance, the specification has been amended to correct a minor typographical error. Accordingly, no new matter has been added.

In view of the following remarks Applicants respectfully request that the Examiner withdraw all rejections and allow the currently pending claims.

Obviousness-Type Double Patenting

The Examiner has rejected claims 1 and 3-15 under the judicially created doctrine of obviousness-type double patenting as being obvious over claims 1 and 3-15 of U.S. Patent No. 6,689,530. Applicants respectfully traverse.

Attached hereto is a Terminal Disclaimer directed to USP 6,689,530. Accordingly, this rejection is moot. Reconsideration and withdrawal thereof are respectfully requested.

Provisional Obviousness-Type Double Patenting

The Examiner has provisionally rejected claims 1 and 3-15 under the judicially created doctrine of obviousness-type double patenting as being obvious over claims 1 and 3-15 of copending application no. 10/776,291. Applicants respectfully traverse and submit that attached hereto is a Terminal Disclaimer directed to application no. 10/776,291. Accordingly, this rejection is moot. Reconsideration and withdrawal thereof are respectfully requested.

Allowable Subject Matter


At page 4 of the outstanding Office Action the Examiner indicated that claim 2 is allowable. Moreover, in view of the attached Terminal Disclaimers, Applicants respectfully submit that the obviousness-type double patenting rejections concerning claims 1 and 3-15 are moot. Accordingly, currently pending claims 1-15 are allowable. The Examiner is respectfully requested to issue a Notice of Allowability directed to the present application.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Craig A. McRobbie (Reg. No. 42,874) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By  #42.874

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